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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/799,651	03/15/2004	Sung-Il Kang	46237	8594

1609 7590 06/13/2007
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WASHINGTON,, DC 20036

EXAMINER

WEST, LEWIS G

ART UNIT	PAPER NUMBER
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2618

MAIL DATE	DELIVERY MODE
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06/13/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/799,651

Applicant(s)

KANG ET AL.

Examiner

Lewis G. West

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) 11-13 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-10 is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Election/Restrictions

Applicant's election with traverse of Group I, Claims 1-10, in the reply filed on March 2, 2007 is acknowledged. The traversal is on the ground(s) that there is no burden on the examiner. This is not found persuasive because the inventions are unrelated as set out in the restriction requirement. Further Group I requires no phone circuitry or capability, and is therefore not even expressly capable of carrying out the method steps laid out in Groups II and III. Group III has no sensor, and could be carried out on any phone with camera and call servicing modes. Group II, while containing a Hall sensor, could be carried out on any camera equipped communication device that may be rotated in any way.

Therefore the structure of Group I has only a cursory overlap with Group II.

There is no overlap between Groups I and III as the searches would be completely distinct with NO OVERLAP.

The requirement is still deemed proper and is therefore made FINAL.

Claims 11-13 stand withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected invention, there being no allowable generic or linking claim.

Applicant timely traversed the restriction (election) requirement in the reply filed on March 2, 2007.

This application is in condition for allowance except for the presence of claims 11-13 directed to an invention non-elected with traverse in the reply filed on March 2, 2007. Applicant is given ONE MONTH or THIRTY DAYS from the date of this letter, whichever is longer, to cancel the noted claims or take other appropriate action (37 CFR 1.144). Failure to take action during this period will be treated as authorization to cancel the noted claims by Examiner's

Amendment and pass the case to issue. Extensions of time under 37 CFR 1.136(a) will not be permitted since this application will be passed to issue.

The prosecution of this case is closed except for consideration of the above matter.

Allowable Subject Matter

Claims 1-10 are allowable.

The prior art clearly discloses communications devices with multiple housings which may be rotated and folded with respect to one another, having 2, 3 or more sections which may be manipulated and thereby affect the operations of the communications device. The prior art further discloses examples of foldable/rotatable communications devices which use a Hall sensor to detect and define positions for use in determining device operations.

The present claims define a device with multiple housing each having specific folding and rotating relationships with respect to each other, as well as a battery pack used as a grip and having a specific movement arrangement with respect to the other housings, and the use of the sensor, in combination with the other defined limitations, which senses when the battery is rotated. When incorporating all the limitations in combination, none of the prior art discloses the specific structure as claimed.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Lim (US 6,701,166), Opela (US 2004/0204122), Sato (US 2004/0048633), and Lim (US 7,020,504) disclose communications devices with folding/rotating sections the position of which may be detected using a detector, such as a Hall Sensor.

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Lee (US 6,125,289), Oshima (US 7,076,280), Crum (US 2004/0077388), Oh (US 6,865,400), Hirai (US 7,092,626) and Wu (US 6,975,890) disclose foldable/rotatable housings on communication devices with multiple sections.

Koenck (US 5,410,141) discloses a communications device with a battery grip.

This application is in condition for allowance except for the following formal matters:

Non-elected claims 11-13, as noted above, must be cancelled.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 25 USPQ 74, 453 O.G. 213, (Comm'r Pat. 1935).


A shortened statutory period for reply to this action is set to expire **ONE MONTH** from the mailing date of this letter.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lewis G. West whose telephone number is 571-272-7859. The examiner can normally be reached on Monday-Friday 7:00-3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew D. Anderson can be reached on 571-272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Lewis G. West
Primary Examiner
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